

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

H

Simple  
Resolution  
Adopted

HOUSE RESOLUTION 54  
Second Edition Engrossed 2/6/13  
Adopted 2/6/13

---

Sponsors: Representative T. Moore (Primary Sponsor).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

---

Referred to: Rules, Calendar, and Operations of the House.

---

February 4, 2013

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF  
2 REPRESENTATIVES FOR THE 2013 REGULAR SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Session of the House of  
5 Representatives of the 2013 General Assembly are:

6 **PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE**  
7 **REGULAR SESSION OF THE 2013 GENERAL ASSEMBLY OF NORTH CAROLINA**

8 I. Order of Business, 1-5

9 II. Conduct of Debate, 6-12

10 III. Motions, 13-19

11 IV. Voting, 20-25

12 V. Committees, 26-30

13 VI. Handling of Bills, 31-44.2

14 VII. Legislative Officers and Employees, 45-49

15 VIII. Privileges of the Hall, 50-53

16 IX. General Rules, 54-62

17 **I. Order of Business**

18 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**  
19 **Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the  
20 event the House adjourns on the preceding legislative day without having fixed an hour for  
21 reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January  
22 and February of 2013, no sessions may be held on Friday. Without leave of the House, no  
23 session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and  
24 the Speaker shall adjourn the House without motion at that point, except that a motion may be  
25 made as to the time and day of next convening. No session shall be held on Sunday.

26 **RULE 1.1. Emergencies.** In the event of a disaster, natural or otherwise, that  
27 precludes the General Assembly from meeting in the Legislative Building, the members will be  
28 notified by the Speaker where and when the House will convene.

29 **RULE 2. Opening the Session.** – At the convening hour on each legislative day, the  
30 Speaker shall call the members to order and shall have the session opened with prayer. At the  
31 convening hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of  
32 Allegiance to the American Flag.





1 Speaker of the House of Representatives, the Principal Clerk shall preside over the House until  
2 the House elects a Speaker.

3 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for any  
4 purpose, the member shall rise and respectfully address the Speaker. No member shall proceed  
5 until recognized by the Speaker for a purpose.

6 (b) When a member desires to interrupt a member having the floor, the member  
7 shall first obtain recognition by the Speaker and permission of the member occupying the floor,  
8 and when such recognition and permission have been obtained, he or she may propound a  
9 question to the member occupying the floor; but he or she shall not otherwise interrupt the  
10 member having the floor, except as provided in subsection (c) of this rule; and the Speaker  
11 shall, without the point of order being raised, enforce this rule.

12 (c) A member who has obtained the floor may be interrupted only for the  
13 following reasons:

14 (1) A request that the member speaking yield for a question,

15 (2) A point of order,

16 (3) A parliamentary inquiry, or

17 (4) A question of privilege.

18 **RULE 8. Questions of Privilege.** – Upon recognition by the Speaker for that  
19 purpose, any member may speak to a question of privilege for a time not to exceed three  
20 minutes. Questions of privilege shall be those affecting, first, the rights of the House  
21 collectively, its safety, dignity, and the integrity of its proceedings; second, the rights,  
22 reputation, and conduct of members, individually, in their representative capacity only; and  
23 shall have precedence over all other questions, except motions to adjourn. Privilege may not be  
24 used to explain a vote or debate a bill. The Speaker shall determine if the question is one of  
25 privilege and shall, without the point of order being raised, enforce this rule.

26 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order and  
27 may speak to points of order in preference to other members arising from their seats for that  
28 purpose. Any member may appeal from the ruling of the chair on questions of order; on such  
29 appeal no member may speak more than once, unless by leave of the House. A three-fifths vote  
30 of the members present shall be necessary to sustain any appeal from the ruling of the chair.

31 (b) When the Speaker calls a member to order, the member shall be seated,  
32 except that a member called to order may clear a matter of fact, or explain, but shall not  
33 proceed in debate so long as the decision stands. If the member appeals from the ruling of the  
34 chair and the decision by a three-fifths vote of the members present be in favor of the member  
35 called to order, the member may proceed; if otherwise, the member shall not; and if the case, in  
36 the judgment of the House requires it, the member shall be liable to censure by the House.

37 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or  
38 solicit cosponsors for a bill or resolution at its first reading.

39 (b) No member shall speak more than twice on the main question nor longer  
40 than 15 minutes for the first speech and five minutes for the second speech; nor shall the  
41 member speak more than twice upon an amendment or motion to reconsider, re-refer, appeal,  
42 or postpone or any motion on concurrence, and then not longer than 10 minutes for the first  
43 speech and five minutes for the second speech.

44 (c) A member may speak only once and for not more than 10 minutes on the  
45 question of the adoption of a minority report.

46 (d) In computing the time allowed for argument, the time consumed in  
47 answering questions should be considered and is taken out of any time allowed that member.

48 (e) The House, by consent of a majority of the members present, may suspend  
49 the operation of subsections (b) through (d) of this rule during any debate on any particular  
50 question before the House.



1           **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded before  
2 the motion is put to the vote of the House.

3           (b) A motion to adjourn shall be decided without debate and shall always be in  
4 order, except when the House is voting or some member is speaking; but a motion to adjourn  
5 shall not follow a motion to adjourn until debate or some other business of the House has  
6 intervened.

7           **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the  
8 motion is put to the vote of the House and is in order except when a motion to adjourn or to  
9 recess is before the House.

10           (b) A motion to table shall be decided without debate.

11           (c) A motion to table a bill shall constitute a motion to table the bill and all  
12 amendments thereto.

13           (d) When the question before the House is the adoption of an amendment to a  
14 bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment  
15 applies to the amendment only, and the motion may not expressly or by implication or  
16 construction be expanded to include a motion to table the bill also.

17           (e) When a question has been tabled, it shall not thereafter be considered, except  
18 on motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds  
19 vote.

20           **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is  
21 in order except when a motion to adjourn or to lay on the table or for the previous question or  
22 to recess is before the House. However, after one motion to postpone indefinitely has been  
23 decided, another motion to postpone indefinitely shall not be allowed at the same stage of the  
24 bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be  
25 considered, except on motion to reconsider under Rule 18 or to place on the favorable calendar  
26 approved by a two-thirds vote.

27           **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in  
28 order for any member to move for the reconsideration thereof on the same or the succeeding  
29 legislative day; provided that if the vote by which the motion was originally decided was taken  
30 by a recorded vote, only a member of the prevailing side may move for reconsideration.

31           (b) A motion to reconsider shall be determined by a majority vote, except the  
32 following shall require a two-thirds vote: a second or subsequent motion to reconsider and a  
33 motion to reconsider:

34           (1) A vote upon a motion to table,

35           (2) A motion to postpone indefinitely,

36           (3) A motion to remove a bill from the unfavorable calendar,

37           (4) A motion that a bill be read twice on the same day, or

38           (5) A motion to remove from the table.

39           (c) A motion to reconsider the vote by which a person has been elected as  
40 Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be  
41 suspended except by a vote of three-fifths of all the members of the House.

42           **RULE 19. Previous Question.** – (a) The previous question may be called only by:

43           (1) The Chair of the Committee on Rules, Calendar, and Operations of the  
44 House;

45           (2) The Majority Leader;

46           (3) The member submitting the report on the bill or other matter under  
47 consideration;

48           (4) The member introducing the bill or other matter under consideration;

49           (5) The member in charge of the measure, who shall be designated by the chair  
50 of the standing committee or permanent subcommittee reporting the same to

1 the House at the time the bill or other matter under consideration is reported  
2 to the House or taken up for consideration.

3 (b) The previous question shall be as follows: "Shall the main question now be  
4 put?" When the call for the previous question has been decided in the affirmative by a majority  
5 vote of the House, the question is on the passage of the bill, resolution, or other matter under  
6 consideration.

7 (c) The call for the previous question shall preclude all motions, amendments,  
8 and debate, except the motion to adjourn, motion to recess, or motion to table.

9 (d) If the previous question is decided in the negative, the question remains  
10 under debate.

11 (e) After the previous question is ordered by the House on the main question of  
12 second or third reading, the Majority Leader and the Minority Leader may each allocate three  
13 minutes of debate on the question. The Majority Leader and the Minority Leader may each  
14 designate another member to act under this subsection.

#### 15 IV. Voting

16 **RULE 20. Use of Electronic Voting System.** – (a) Votes on the following  
17 questions shall be taken on the electronic voting system, and the ayes and noes shall be  
18 recorded on the Journal:

19 (1) The passage as required by Article II, Section 23 of the North Carolina  
20 Constitution on second and third readings of any bill:

- 21 a. Raising money on the credit of the State,
- 22 b. Pledging the faith of the State for the payment of a debt,
- 23 c. Imposing a State tax, or
- 24 d. Authorizing a county, municipality, or other local governmental unit  
25 to:
  - 26 1. Raise money on its credit,
  - 27 2. Pledge its faith for the payment of a debt, or
  - 28 3. Impose a local tax.

29 (2) All questions on which a call for the ayes and noes under Rule 24(a) and  
30 Article II, Section 19 of the North Carolina Constitution has been sustained.

31 (3) Both second and third readings of bills proposing amendment of the North  
32 Carolina Constitution or ratifying resolutions amending the United States  
33 Constitution.

34 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to  
35 Article II, Section 22 of the North Carolina Constitution.

36 (b) Votes on the following questions shall be taken on the electronic voting  
37 system:

38 (1) Second reading of all public bills, all amendments to public bills offered  
39 after second reading, third reading if a public bill was amended after second  
40 reading or if the reading occurs on a day or days following the second  
41 reading, all conference reports on public bills, all motions to lay public bills  
42 on the table, and all motions to postpone public bills indefinitely.

43 (2) Upon a call for division.

44 (3) Any other question upon direction of the Speaker or upon motion of any  
45 member supported by one-fifth of the members present.

46 (c) When the electronic voting system is used, 15 seconds shall be allowed for  
47 voting on the question before the House, unless the Chair shall direct otherwise. Once the  
48 system is locked, the vote shall be recorded and printed.

49 (d) The voting station at each member's desk in the Chamber shall be used only  
50 by the member to which the station is assigned. Under no circumstances shall any other person  
51 vote at a member's station. It is a breach of the ethical obligation of a member either to request

1 that another person vote at the requesting member's station or to vote at another member's  
2 station. The Speaker shall enforce this rule without exception.

3 (e) When the electronic voting system is used, the Speaker shall state the  
4 question and shall then state substantially the following: "All in favor vote 'aye'; all opposed  
5 vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must  
6 vote by the electronic voting system within the time allowed for that vote, unless the voting  
7 station assigned to a member is malfunctioning. The Speaker shall enforce this rule without  
8 exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will  
9 now lock the machine and record the vote." After the machine is locked and the vote recorded,  
10 the Speaker shall announce the vote and declare the result.

11 (f) One copy of the machine printout of the vote record of all votes taken on the  
12 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall  
13 be filed in the Legislative Library where the copies shall be open to public inspection. A legible  
14 copy of the bill, amendment, or motion on which the vote was taken shall be filed with the  
15 printout of the vote in the Legislative Library.

16 (g) When the Speaker ascertains that the electronic voting system is inoperative  
17 before a vote is taken or while a vote is being taken on the electronic voting system, the  
18 Speaker shall announce that fact to the House, and any partial electronic voting system voting  
19 record shall be voided. In such a case, if the North Carolina Constitution or the Rules of the  
20 House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes  
21 and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall  
22 be taken alphabetically. If, after a vote is taken on the electronic voting system, it is discovered  
23 that a malfunction caused an error in the electronic voting system printout, the Speaker shall  
24 direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so  
25 advise the House.

26 (h) For the purpose of identifying motions on which the vote is taken on the  
27 electronic voting system, the motions are coded as follows:

- 28 (1) To adjourn.
- 29 (2) To recess.
- 30 (3) To lay on the table.
- 31 (4) Previous question.
- 32 (5) To postpone indefinitely.
- 33 (6) To reconsider.
- 34 (7) To postpone to a day certain.
- 35 (8) To re-refer.
- 36 (9) To amend an amendment.
- 37 (10) To amend.
- 38 (11) To concur or not concur.
- 39 (12) Miscellaneous.

40 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those  
41 required to be taken on the electronic voting system shall be taken by voice vote.

42 (b) When a voice vote is taken, the Speaker shall put the question substantially  
43 as follows: "Those in favor (as the question may be) will say 'Aye'," and after the affirmative  
44 voice has been expressed, "Those opposed will say 'No'."

45 (c) No statement, explanation, debate, motion, parliamentary inquiry, or point of  
46 order shall be allowed once the voice vote has begun. Any point of order or parliamentary  
47 inquiry may be raised, however, after the completion of the vote.

48 **RULE 22. Determining Questions.** – (a) Unless otherwise provided by the  
49 Constitution of North Carolina or by these rules, all questions shall be determined by a simple  
50 majority of the members present and voting.

1 (b) No member may vote unless the member is in the Chamber when the  
2 question is put. This subsection of this rule cannot be suspended.

3 **RULE 23. Voting by Division.** – Any member may call for a division of the  
4 members upon the question before the result of the vote has been announced. Upon a call for a  
5 division, the Speaker shall cause the number voting in the affirmative and in the negative to be  
6 determined. Upon a division and count of the House on any question, no member away from  
7 the member's seat shall be counted.

8 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for  
9 the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall  
10 be decided by the ayes and noes upon a roll call vote.

11 (b) Every member who is in the Hall of the House when the question is put shall  
12 vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

13 (c) No member may change a vote without leave of the House, but such leave  
14 shall not be granted if it affects the result.

15 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any  
16 member shall, upon request, be excused in advance from the deliberations and voting on a  
17 particular bill at any time that the reason for the request arises in the proceedings on the bill.

18 (b) The member may make a brief oral statement of the reasons for making the  
19 request. The member shall provide to the Principal Clerk, on a form provided by the Clerk, a  
20 concise written statement of the reason for the request, and the Clerk shall include this  
21 statement in the Journal.

22 (c) Except as provided in subsection (e) of this section, the member so excused  
23 shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any  
24 amendment to the bill, or offer or vote on any motion concerning the bill, in committee or on  
25 the floor of the House at any reading, or any subsequent consideration of the bill.

26 (d) A member may request that his or her excuse from deliberations on a  
27 particular bill be withdrawn.

28 (e) By leave of the House, a member who has been excused from deliberations  
29 and voting on a bill may participate in deliberations and votes on amendments to which that  
30 member does not have any conflict that requires excusal.

31 **RULE 24.1B. Division of Amendments.** – Any member may call for an  
32 amendment to be divided into two or more amendments to be voted on separately, and the  
33 Speaker shall determine whether the amendment admits of such a division.

34 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other  
35 instances the Speaker may vote or may reserve this right until there is a tie in which event the  
36 Speaker may vote; but in no instance may the Speaker vote twice on the same question.

## 37 V. Committees

38 **RULE 26. Standing Committees and Permanent Subcommittees Generally.** –  
39 (a) The Speaker shall appoint a chair, or cochairs, of every standing committee, permanent  
40 subcommittee, and select committee, if any. In the construction of these rules, the word "chair"  
41 as applied to a committee, extends to and includes a cochair of the committee. The Speaker  
42 shall have the exclusive right and authority to establish select committees, but this does not  
43 exclude the right of the House by resolution to establish select committees.

44 (b) The Speaker shall establish the number of members of each standing  
45 committee and standing subcommittee, and appoint the members in a manner to reflect the  
46 partisan membership of the House, except that the Committee on Ethics shall have an equal  
47 number of members of the majority and minority.

48 (c) Before appointing members of committees and subcommittees, the Speaker  
49 shall consult with the Minority Leader. The Speaker and Minority Leader shall consider  
50 members' committee preferences in making appointments and recommendations.

(d) The Speaker may not appoint new members to committees or permanent subcommittees after April 15 of an odd-numbered year or at any time during an even-numbered year except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member. As to select committees established after March 1 of an odd-numbered year or during an even-numbered year, the Speaker may not appoint new members more than 60 calendar days after the select committee is established, except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member.

(e) Each chair of a permanent subcommittee shall be a vice-chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as vice-chairs of the standing committee. The Speaker may name one or more vice-chairs for any standing committee not having permanent subcommittees.

(f) A maximum of two chairs of a standing committee are entitled to vote in a permanent subcommittee of the standing committee.

(g) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. A quorum of less than a majority of all the members must include at least one member of the minority party.

(h) In any joint meeting of the Senate and House committees or subcommittees, the House standing committee or permanent subcommittee reserves the right to vote separately.

**RULE 26.1. Mentions of Standing Committee Includes Select Committee.** – Any reference in these rules to standing committees shall extend to select committees unless the context requires otherwise.

**RULE 27. List of Standing Committees and Permanent Subcommittees.** – The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Agriculture	(None)
Appropriations	-Education -General Government -Health and Human Services -Information Technology -Justice and Public Safety -Natural and Economic Resources -Transportation
Banking	(None)
Commerce and Job Development	-Alcoholic Beverage Control -Biotechnology and Health Care -Energy and Emerging Markets -Military and Agriculture
Education	(None)
Elections	(None)
Environment	(None)
Ethics	(None)

1		
2	Finance	(None)
3		
4	Government	(None)
5		
6	Health and Human Services	-Mental Health
7		
8	Homeland Security, Military, and	
9	Veterans Affairs	(None)
10		
11	Insurance	(None)
12		
13	Judiciary	-Judiciary A
14		-Judiciary B
15		-Judiciary C
16		
17	Public Utilities and Energy	(None)
18		
19	Redistricting	(None)
20		
21	Regulatory Reform	-Business and Labor
22		-Environmental
23		-Local Government
24		
25	Rules, Calendar, and	
26	Operations of the House	(None)
27		
28	State Personnel	(None)
29		
30	Transportation	(None)
31		

32 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a)  
 33 Standing committees and permanent subcommittees of standing committees shall be furnished  
 34 with suitable meeting places pursuant to a schedule established by the Chair of the Standing  
 35 Committee on Rules, Calendar, and Operations of the House. Select committees shall be  
 36 furnished with suitable meeting places as their needs require by the Chair of the Standing  
 37 Committee on Rules, Calendar, and Operations of the House.

38 (b) Subject to the provisions of subsection (c) of this rule, standing committees  
 39 and permanent subcommittees thereof shall permit other members of the General Assembly,  
 40 the press, and the general public to attend all sessions of said standing committees or permanent  
 41 subcommittees.

42 (c) The Chair or other presiding officer shall have general direction of the  
 43 meeting place of the standing committee or permanent subcommittee, and, in case of any  
 44 disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the  
 45 legislative business is hindered by any person or persons, the Chair or presiding officer shall  
 46 have power to exclude from the session any individual or individuals so hindering the  
 47 legislative business.

48 (d) Procedure in the standing committees and permanent subcommittees shall be  
 49 governed by the rules of the House, so far as the same may be applicable to such procedure.  
 50 Before a question is put, any member may call for the ayes and noes. If the call is sustained by

1 one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll  
2 call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

3 (e) No standing committee or permanent subcommittee shall meet on any day  
4 when the House shall not convene except by permission of the Speaker or by approval of the  
5 House by resolution adopted by a majority vote of the House.

6 (f) No standing committee or permanent subcommittee shall meet during any  
7 session of the House. Standing committees and permanent subcommittees shall meet at their  
8 regularly scheduled hour. No permanent subcommittee shall meet at the same time that its  
9 standing committee is meeting. Standing committees and permanent subcommittees may meet  
10 at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and  
11 Operations of the House in order to assure the availability of the meeting room and that no  
12 conflicts will exist with the meetings of other bodies. All standing committee and permanent  
13 subcommittee meetings shall adjourn no later than:

14 (1) 15 minutes preceding a regular session of the House, and

15 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
16 committee or permanent subcommittee meeting.

17 Action taken by a committee in violation of this rule is voidable unless taken by  
18 unanimous consent at a meeting at which a majority of all the members of the committee are  
19 present, and at least one member present is of the minority party.

20 (g) Any call or notice of a standing committee or permanent subcommittee  
21 meeting between legislative sessions shall be sent by electronic mail to each member of the  
22 standing committee or permanent subcommittee at least five days prior to such meeting. If a  
23 member of the body so requests in writing to the chair of the standing committee or permanent  
24 subcommittee, the member shall also be notified of the meetings by mail at a designated  
25 address.

26 (h) During standing committee and permanent subcommittee meetings, the chair  
27 may exercise the right to vote, or may reserve this right until there is a tie, in which event the  
28 chair may vote, but in no instance may the chair vote twice on the same question.

29 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**  
30 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any  
31 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any  
32 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter  
33 143 of the General Statutes), as the same may be amended in the future.

34 (b) If, after such preliminary investigation as it may make, the Committee  
35 determines to proceed with an inquiry into the conduct of any individual, the Committee shall  
36 notify the individual as to the fact of the inquiry and the charges against the individual and shall  
37 schedule one or more hearings on the matter. The individual shall have the right to present  
38 evidence, cross-examine witnesses, and be represented by counsel at any hearings.

39 (c) After the Committee has concluded its inquiries into the alleged violations,  
40 the Committee shall dispose of the matter by taking one of the following actions:

41 (1) Dismiss the complaint and take no further action.

42 (2) Issue a private letter of reprimand to the legislator, if the legislator  
43 unintentionally violated the provisions of the Open Meetings Law.

44 (3) Issue a public letter of reprimand if the violation of the Open Meetings Law  
45 was intentional or if the legislator has previously received a private letter of  
46 reprimand. The Chair of the Committee on Ethics shall have the public letter  
47 of reprimand spread on the pages of the House Journal.

48 (4) Refer the matter to the House for appropriate action.

49 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**  
50 **Meetings and Hearings.** – (a) Notice of meetings of standing committees and permanent

1 subcommittees that will occur at the regularly scheduled meeting times shall be given by one or  
2 both of the following methods:

3 (1) Notice given openly at a session of the House; or

4 (2) Notice mailed or sent by electronic mail to those who have requested notice,  
5 and to the Legislative Services Office, which shall post the notice on the  
6 General Assembly Web site.

7 (b) Notice of all other meetings shall be given in the House. If the meeting is  
8 scheduled to occur after adjournment, notice shall also be given by electronic mail and posting  
9 on the General Assembly Web site.

10 (c) The chair of the standing committee or permanent subcommittee shall notify  
11 or cause to be notified the sponsor of each bill which is set for hearing or consideration before  
12 the standing committee or permanent subcommittee as to the date, time, and place of that  
13 meeting.

14 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in  
15 writing to the chair of the standing committee and, if applicable, the chair of the permanent  
16 subcommittee to which the bill has been referred. The chair of the standing committee may  
17 schedule a public hearing by the standing committee as a whole after the adjournment of a  
18 regular daily House session. The chair of the permanent subcommittee may schedule a public  
19 hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request  
20 made by a House member may be appealed to the Speaker.

21 Notice shall be given not less than five calendar days prior to public hearings. These  
22 notices shall be issued as information for the press and shall be posted in the places designated  
23 by the Principal Clerk.

24 (b) Persons desiring to appear and be heard at a public hearing shall submit their  
25 requests to the chair of the standing committee or permanent subcommittee. The standing  
26 committee or permanent subcommittee chair may designate one or more members to arrange  
27 the order of appearance of interested parties. A brief written statement of testimony may be  
28 submitted without oral presentation and shall be incorporated into the minutes of the public  
29 hearing.

30 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee  
31 or a permanent subcommittee shall ensure that written minutes are compiled for each of the  
32 body's meetings. The minutes shall indicate the members present and the actions taken at the  
33 meeting. Not later than 10 days after the adjournment of each session of the General Assembly,  
34 the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may  
35 grant a reasonable extension of time for filing said minutes upon written application of the  
36 chair.

37 **RULE 30. Committee of the Whole House.** – (a) A Committee of the Whole  
38 House shall not be formed, except by leave of the House.

39 (b) After passage of a motion to form a Committee of the Whole House, the  
40 Speaker shall appoint a chair to preside in the committee, and the Speaker shall leave the dais.

41 (c) The rules of procedure in the House shall be observed in the Committee of  
42 the Whole House, so far as they may be applicable, except the rule limiting the time of  
43 speaking and the previous question.

44 (d) In the Committee of the Whole House, a motion that the standing committee  
45 rise shall always be in order, except when a member is speaking, and shall be decided without  
46 debate.

47 (e) When a bill is submitted to the Committee of the Whole House, it shall be  
48 read and debated by sections, leaving the preamble to be last considered. The body of the bill  
49 shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly  
50 entered by the Principal Clerk on a separate paper as the same shall be agreed to by the

1 standing committee and be so reported to the House. After report, the bill shall again be subject  
2 to be debated and amended by sections before a question on its passage be taken.

### 3 **VI. Handling of Bills**

4 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions  
5 shall be introduced by submitting same to the Principal Clerk's office on the legislative day  
6 prior to the first reading and reference thereof according to the following schedule: by 30  
7 minutes after adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday,  
8 Thursday, and Friday.

9 (b) Bills shall not become resolutions provided the Senate has a similar rule.  
10 Resolutions shall not become bills. Resolutions are not law but may be used when a law is not  
11 necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds  
12 for any purpose, but may be used to create study commissions or committees or establish  
13 investigative committees, to honor deceased persons, and to adopt House rules and internal  
14 affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the  
15 term of the session during which they are adopted.

16 (c) Every bill or resolution shall be read in regular order of business, except  
17 upon permission of the Speaker or on the report of a standing committee.

18 (d) All bills and resolutions shall show in their captions a brief descriptive  
19 statement of the true substance of same, which captions may thereafter be amended.  
20 Amendments to captions of bills are in order only if the amendment is germane to the bill.  
21 Third reading shall not be had on any bill or resolution on the same day that such caption is  
22 amended.

23 (e) A Substitute Bill shall be covered with the same color jacket as the original  
24 bill and shall be prefaced as follows: "House Committee Substitute for\_\_\_\_."

25 (f) House Resolutions need not be read more than twice.

26 (g) All memorializing, celebration, commendation, and commemoration  
27 resolutions, except those honoring the memory of deceased persons, shall be excluded from  
28 introduction and consideration in the House. The mention of a deceased person as a pretext to  
29 honor an institution or a living person is prohibited.

30 (h) Any reference in these rules to bills shall extend to resolutions unless the  
31 context requires otherwise.

32 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; Ten Bill**  
33 **Limit; Single Subject Rule.** – (a) All local bills must be submitted to the Bill Drafting  
34 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 20, 2013, and  
35 must be introduced not later than 3:00 P.M. on Wednesday, April 3, 2013.

36 (b) All public bills or resolutions recommended by commissions or standing  
37 committees authorized or directed by act or resolution of the General Assembly (i) to report to  
38 the 2013 Regular Session of the General Assembly, or to report prior to convening of that  
39 session, or (ii) which are recommended to the 2013 Regular Session of the General Assembly  
40 by a commission or committee established directly by Chapter 120 of the General Statutes,  
41 must have been submitted to the Bill Drafting Division of the Legislative Services Office by  
42 4:00 P.M. on Tuesday, February 19, 2013, and must be introduced not later than 3:00 P.M. on  
43 Wednesday, February 27, 2013.

44 (c) All bills prepared to be introduced for departments, agencies, or institutions  
45 of the State must have been submitted to the Bill Drafting Division of the Legislative Services  
46 Office by 4:00 P.M. on Tuesday, March 12, 2013, and must be introduced not later than 3:00  
47 P.M. on Wednesday, March 20, 2013. A bill introduced under this subsection shall be  
48 identified as an Agency Bill after its short title or in the drafting code.

49 (d) All public bills which would not be required to be re-referred to the  
50 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House  
51 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office

1 by 4:00 P.M. on Thursday, March 28, 2013, and must be introduced not later than 3:00 P.M. on  
2 Wednesday, April 10, 2013.

3 (e) All public bills which under Rule 38 are required to be re-referred to either  
4 or both of the Appropriations Committee or the Finance Committee must be submitted to the  
5 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 4,  
6 2013, and must be introduced not later than 3:00 P.M. on Wednesday, April 17, 2013. If any  
7 bill is subject to the deadline under this subsection and the bill is amended so that all the  
8 provisions requiring referral to either or both of those committees under Rule 38 do not remain  
9 in the bill, it is not eligible for further consideration.

10 (f) A bill containing no substantive provisions may not be introduced in the  
11 House.

12 (g) No member may introduce more than 10 public bills. For the purpose of this  
13 subsection, the introducer is the member who is listed as the first sponsor. A member may  
14 assign a portion of this limit to another member by notifying the Principal Clerk in writing on a  
15 form prepared by the Principal Clerk. This subsection does not apply to bills or resolutions  
16 recommended by commissions or committees authorized or directed by act or resolution of the  
17 General Assembly (i) to report to the 2013 Regular Session of the General Assembly, or to  
18 report prior to convening of that session, or (ii) which are recommended to the 2013 Regular  
19 Session of the General Assembly by a commission or committee established directly by  
20 Chapter 120 of the General Statutes. This subsection does not apply to joint resolutions or  
21 House resolutions.

22 (h) In order to be eligible for consideration by the House during the first Regular  
23 Session, all Senate bills other than finance or appropriations bills which would be required to  
24 be re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment  
25 resolutions must be received and read on the floor of the House as a message from the Senate  
26 no later than Thursday, May 16, 2013; provided that a message from the Senate received by the  
27 next legislative day stating that a bill has passed its third reading and is being engrossed shall  
28 comply with the requirements of this subsection and provided that the Senate has a similar rule.

29 (i) Except by motion approved by a majority of members of the House present  
30 and voting, no public House bill other than the Current Operations Appropriations Act or the  
31 Capital Improvement Appropriations Act may contain more than one subject.

32 (j) This rule, other than subsections (f), (g), and (i), does not apply to bills (i)  
33 establishing districts for Congress or State or local entities, (ii) introduced on the report of the  
34 Committees on Appropriations, Finance, or Rules, Calendar, and Operations of the House, or  
35 (iii) ratifying an amendment or amendments to the Constitution of the United States. This rule  
36 does not apply to resolutions adjourning the General Assembly sine die or to a date certain.

37 **RULE 32. Reference to Standing Committee and to Permanent Subcommittee;**  
38 **Serial Referrals.** – (a) Each bill not introduced on the report of a standing committee shall  
39 immediately upon its first reading be referred by the Speaker to such standing committee,  
40 committee of the whole, or permanent subcommittee as the Speaker deems appropriate. The  
41 Speaker at the same time may order that, if the bill is reported with any favorable  
42 recommendation or without prejudice, it be re-referred automatically upon the committee report  
43 to another committee or permanent subcommittee designated in the order. Each joint resolution  
44 or House resolution not introduced on the report of a standing committee shall immediately  
45 upon its first reading either be referred by the Speaker to a standing committee or permanent  
46 subcommittee or be calendared on the date designated by the Speaker, as the Speaker deems  
47 appropriate.

48 (b) The standing committee chair may refer each bill referred to the standing  
49 committee to the permanent subcommittee specifically charged with the subject matter of the  
50 bill. A report of that referral shall be made in writing and submitted to the body pursuant to  
51 Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is

1 referred shall report the bill back to the full standing committee. That subcommittee report shall  
2 include one of the following recommendations:

- 3 (1) Favorable, without prejudice, or unfavorable as to the original bill with the  
4 recommendation that the report be made to the standing committee;
- 5 (2) Favorable, without prejudice, or unfavorable as to the original bill, as  
6 amended, with the recommendation that the report be made to the standing  
7 committee;
- 8 (3) Favorable or without prejudice to the proposed committee substitute, and  
9 unfavorable to the original bill, with the recommendation that the report be  
10 made to the standing committee;
- 11 (4) Favorable as to the original bill with the recommendation that the report be  
12 made directly to the floor of the House, if approved by the standing  
13 committee chair;
- 14 (5) Favorable to the original bill, as amended, with the recommendation that the  
15 report be made directly to the floor of the House, if approved by the standing  
16 committee chair; or
- 17 (6) Favorable to the proposed committee substitute with the recommendation  
18 that the report be made directly to the floor of the House, if approved by the  
19 standing committee chair, and unfavorable to the original bill.

20 Any recommendation of favorable or without prejudice may include a  
21 recommendation of re-referral to another standing committee. After a bill is reported to a  
22 standing committee by a permanent subcommittee of that standing committee, the standing  
23 committee chair may re-refer the bill to another permanent subcommittee of that standing  
24 committee.

25 Upon recommendation to the standing committee, the bill shall be before that body  
26 for further action unless the permanent subcommittee chair reports the bill directly pursuant to  
27 Rule 36.

28 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other  
29 papers addressed to the House shall be presented by the Speaker. A brief statement of the  
30 contents thereof may be made orally by the introducer before reference to a committee, but  
31 such papers shall not be debated or decided on the day of their first being read unless the House  
32 shall direct otherwise.

33 **RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a) House  
34 Bills shall be designated as "H.B.\_\_\_\_." (No. following). A Joint Resolution shall be designated  
35 as "H.J.R. \_\_\_\_." (No. following). A House Resolution shall be designated as "H.R.\_\_\_\_." (No.  
36 following).

37 (b) Whenever any resolution or bill is filed for introduction, it shall be in a  
38 House bill jacket containing the number of copies designated by the Principal Clerk and in the  
39 form designated by the Speaker. Any resolution or bill not accompanied by the required  
40 number of copies shall be returned immediately to the introducer. The Clerk shall stamp the  
41 copies with the number stamped upon the original bill.

42 (c) No bill may be filed for introduction if the draft contains names preprinted  
43 on the bill jacket and body of the bill (either as primary sponsors or cosponsors) unless each  
44 such member has signed the jacket.

45 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The Legislative  
46 Services Officer shall cause such bills as are introduced to be duplicated in such numbers as  
47 may be specified by the Speaker. Copies shall be placed in the Printed Bills Room and made  
48 available to the committees to which the bill is referred, to individual members on request, and  
49 to the general public.

50 (b) A public bill is a bill affecting 15 or more counties. A local bill is one  
51 affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill

1 may be considered unless copies of the bill have been made available to the entire membership  
2 of the House.

3 **RULE 35.1. Municipal Incorporation Reports.** – Every legislative proposal  
4 introduced in the House or received in the House from the Senate, proposing the incorporation  
5 of a municipality shall have attached to the jacket of the original bill at the time of its  
6 consideration on second or third readings by the House or by any committee of the House prior  
7 to a favorable report, a recommendation from the Municipal Incorporations Subcommittee of  
8 the Joint Legislative Committee on Local Government, established by Article 20 of Chapter  
9 120 of the General Statutes. The recommendation of the Municipal Incorporations  
10 Subcommittee of the Joint Legislative Committee on Local Government shall be made in  
11 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the General  
12 Statutes and shall include the findings required to be made by G.S. 120-166 through  
13 G.S. 120-170.

14 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)  
15 **Reports.** – Bills and resolutions may be reported from the standing committee or permanent  
16 subcommittee to which referred with such recommendations as the standing committee or  
17 permanent subcommittee may desire to make. With the written approval of the chair of the  
18 standing committee and with the recommendation of the subcommittee pursuant to Rule  
19 32(b)(4) through (6), the chair of the permanent subcommittee may report the bill directly to  
20 the floor with that recommendation. If a permanent subcommittee recommends reporting a bill  
21 to the floor and the chair of the standing committee fails to give approval, the bill shall be  
22 deemed to have been reported to the standing committee with the same recommendation as the  
23 subcommittee would have made to the House.

24 (b) **Favorable Report.** – When a standing committee or permanent  
25 subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed  
26 on the favorable calendar on the day designated by the Chair of the Standing Committee on  
27 Rules, Calendar, and Operations of the House, but not on the same day that it is reported except  
28 by leave of the House, and no later than the fourth legislative day after submission of the report  
29 or Senate message under Rule 43.2 or Rule 43.3(a), unless:

- 30 (1) The bill is re-referred to the Committee on Appropriations or Committee on  
31 Finance under Rule 38 or was serially referred under Rule 32; or  
32 (2) The bill has not yet been placed on the calendar, and the Speaker refers the  
33 bill to another committee.

34 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair  
35 of the Standing Committee on Rules, Calendar, and Operations of the House orally in the  
36 House or in writing to the Principal Clerk. When a committee substitute is adopted and receives  
37 a favorable report by the committee or permanent subcommittee, the standing committee or  
38 permanent subcommittee chair shall submit to the standing committee or permanent  
39 subcommittee the question of an unfavorable report on the original bill. The standing  
40 committee's or permanent subcommittee's action, if any, on the original bill shall be reported at  
41 the same time the committee substitute is reported.

42 (c) **Report Without Prejudice.** – When a standing committee reports a bill  
43 without prejudice, the bill shall be placed on the favorable calendar in the same manner as  
44 provided in subsection (b) of this rule.

45 (d) **Postponed Indefinitely.** – When a standing committee reports a bill with the  
46 recommendation that it be postponed indefinitely and no minority report accompanies it, the  
47 bill shall be placed on the unfavorable calendar.

48 (e) **Unfavorable Report.** – When a standing committee reports a bill with the  
49 recommendation that it not be passed and no minority report accompanies it, the bill shall be  
50 placed on the unfavorable calendar.

1 (f) **Minority Report.** – When a bill is reported by a standing committee with a  
2 recommendation that it not be passed or that it be postponed indefinitely but it is accompanied  
3 by a minority report signed by at least one-fourth of the members of the standing committee  
4 who were present and voting when the bill was considered in standing committee, the question  
5 before the House shall be: "The adoption of the minority report." If the minority report is  
6 adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If  
7 the minority report fails of adoption by a majority vote, the bill shall be placed on the  
8 unfavorable calendar.

9 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations  
10 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and  
11 Operations of the House, upon the floor of the House, may request that a fiscal analysis be  
12 made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of  
13 the House and that a fiscal note be attached to the measure, which request shall be allowed  
14 when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the  
15 language of the measure. When a request is properly made under this subsection, the bill is  
16 removed from the calendar until such time that the fiscal note is attached to the measure.

17 (b) The fiscal note shall be filed and attached to the bill or amendment within  
18 two legislative days of the request, and a copy shall be sent by electronic mail to each member.  
19 If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal  
20 Research shall, in writing, so advise the Speaker, the Principal Clerk, the Majority Leader, the  
21 Minority Leader, and the member introducing or proposing the measure and shall indicate the  
22 time when the fiscal note will be ready.

23 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form  
24 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
25 House as to content and form and signed by the staff member or members preparing it. If no  
26 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is  
27 provided. The fiscal note shall not comment on the merit but may identify technical problems.  
28 The Fiscal Research Division shall make the fiscal note available to the membership of the  
29 House.

30 (d) A sponsor of a bill or amendment may deliver a copy of the bill or  
31 amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor  
32 shall attach the fiscal note to the bill when filed or to the amendment when its adoption is  
33 moved.

34 (e) The sponsor of a bill or amendment to which a fiscal note is attached who  
35 objects to the estimates and information provided may reduce to writing the objections. These  
36 objections shall be appended to the fiscal note attached to the bill or amendment and to the  
37 copies of the fiscal note available to the membership.

38 (f) Subsection (a) of this rule shall not apply to the Current Operations  
39 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply  
40 to a bill or amendment requiring an actuarial note under these rules.

41 **RULE 36.2. Actuarial Notes.** – (a) Every bill or resolution proposing any change in  
42 the law relative to any:

43 (1) State, municipal, or other retirement system funded in whole or in part out of  
44 public funds; or

45 (2) Program of hospital, medical, disability, or related benefits provided for  
46 teachers and State employees, funded in whole or in part by State funds;

47 shall have attached to it at the time of its consideration by any standing committee or  
48 permanent subcommittee a brief explanatory statement or note which shall include a reliable  
49 estimate of the financial and actuarial effect of the proposed change to that retirement or  
50 pension system. The actuarial note shall be attached to the jacket of each proposed bill or  
51 resolution which is reported favorably by any standing committee or any permanent

1 subcommittee, shall be separate therefrom, and shall be clearly designated as an actuarial note.  
2 A bill described in subdivision (a)(1) of this rule shall be referred to the Committee on State  
3 Personnel upon its introduction in accordance with G.S. 120-111.3.

4 (b) The sponsor of the bill or resolution shall present a copy of the measure,  
5 with a request for an actuarial note, to the Fiscal Research Division, which shall prepare the  
6 actuarial note as promptly as possible but not later than two weeks after the request is made,  
7 unless an extension of time is agreed to by the sponsor as being necessary in the preparation of  
8 the note. Actuarial notes shall be prepared in the order of receipt of request and shall be  
9 transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division  
10 shall be prepared and signed by an actuary.

11 (c) The sponsor of the bill or resolution shall also present a copy of the measure  
12 to the actuary employed by the system or program affected by the measure. Actuarial notes  
13 shall be prepared and transmitted to the sponsor of the measure not later than two weeks after  
14 the request is received, unless an extension of time is agreed to by the sponsor as being  
15 necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the  
16 measure. The provisions of this subsection may be waived by the measure's sponsor for a  
17 measure affecting local government retirement or pension plans not administered by the State  
18 or any local government program of hospital, medical, disability, or related benefits for local  
19 government employees not administered by the State.

20 (d) The note shall be factual and shall, if possible, provide a reliable estimate of  
21 both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the  
22 measure. If, after careful investigation, it is determined that no dollar estimate is possible, the  
23 note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can  
24 be given. No comment or opinion shall be included in the actuarial note with regard to the  
25 merits of the measure for which the note is prepared. Technical and mechanical defects in the  
26 measure may be noted.

27 (e) When any permanent subcommittee or standing committee reports a  
28 measure to which an actuarial note is attached at the time of permanent subcommittee or  
29 standing committee consideration, with any amendment of such nature as would substantially  
30 affect the cost to or the revenues of any retirement or pension system, or program of hospital,  
31 medical, disability, or related benefits for teachers or State employees, the chair of the  
32 permanent subcommittee or standing committee reporting the measure shall obtain from the  
33 Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed  
34 amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to  
35 any bill or resolution shall not be in order if the amendment affects the costs to or the revenues  
36 of a State-administered retirement or pension system, or program of hospital, medical,  
37 disability, or related benefits for teachers or State employees, unless the amendment is  
38 accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial  
39 effect of the amendment.

40 (f) The Fiscal Research Division shall make all relevant actuarial notes  
41 available to the membership of the House.

42 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill  
43 affecting the State Highway System shall be referred to the Committee on Transportation.

44 **RULE 36.4. Content of Appropriations Bills.** – No provision shall be contained in  
45 any of the following bills unless it pertains to the appropriation of money or the raising or  
46 reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital  
47 Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second  
48 fiscal year of a biennium. If a point of order is made against such a provision and is sustained,  
49 the presiding officer shall refer the bill to the committee from which it came, with instructions  
50 for the chair of the committee to immediately report out a substitute or amendment removing  
51 the offending provision.

1           **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed  
2 from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a  
3 bill from the unfavorable calendar is debatable.

4           **RULE 38. Reports on Appropriation and Revenue Bills.** – (a) All standing  
5 committees, other than the Standing Committees on Appropriations, when favorably reporting  
6 any bill or resolution which:

7           (1) Carries an appropriation from the State; or

8           (2) Requires or will require in the future substantial additional State monies  
9 from the General Fund or Highway Fund to implement its provisions shall  
10 indicate same in the report, and said bill or resolution shall be referred to the  
11 Standing Committees on Appropriations for a further report before being  
12 acted upon by the House.

13           (b) All standing committees, other than the Standing Committee on Finance,  
14 when favorably reporting any bill which in any way or manner raises revenue, reduces revenue,  
15 levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of  
16 bonds or notes, whether public or local, shall indicate same in the report, and said bill shall be  
17 referred to the Standing Committee on Finance for a further report before being acted upon by  
18 the House. This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

19           (c) Action on Amendment Before Re-Referral. – If any standing committee  
20 recommends adoption of an amendment or committee substitute of a bill which, under the rules  
21 of the House, must be referred to the Standing Committees on Appropriations or the Standing  
22 Committee on Finance, the amendment or committee substitute shall be considered and, if  
23 adopted, the amendment or substitute engrossed before the bill is re-referred.

24           **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from  
25 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that  
26 measure if accompanied by a petition asking that the committee be discharged from further  
27 consideration of the bill. No motion may be filed until 10 legislative days after the bill has been  
28 referred to the committee. No petition may be filed until notice has been given on the floor of  
29 the House that the petition is to be filed and the primary sponsor giving notice has obtained a  
30 fiscal note from the Fiscal Research Division on the bill, which note shall be attached to the  
31 petition. Members may sign the petition only in the office of the Principal Clerk, and when the  
32 signatures of 61 members appear on the petition, the Principal Clerk shall place that motion on  
33 the calendar for the next legislative day as a special order of business. Members may withdraw  
34 their names at any time until 61 names appear. If the motion is adopted by the House, then the  
35 committee to which the bill or resolution has been referred is discharged from further  
36 consideration of the bill, and that bill is placed on the calendar for the next legislative day as a  
37 special order of business. The Principal Clerk shall provide a form for discharge petitions.

38           (b) This rule shall not be temporarily suspended without one day's notice on the  
39 motion given in the House and delivered in writing to the chair of the standing committee, and  
40 to sustain that motion two-thirds of the members shall be required.

41           **RULE 39.2. Re-Referral of Bills From One Standing Committee to Another**  
42 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the  
43 standing committee from whom the bill is to be re-referred, and the chair of the standing  
44 committee to whom the bill is to be re-referred, the chair of the standing committee from whom  
45 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and  
46 Operations of the House may move for a re-referral to another standing committee, and the bill  
47 shall be re-referred upon vote of the majority present during a regular session of the House.

48           **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall  
49 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for  
50 consideration and debate that day, in accordance with the Order of Business of the Day (Rule  
51 5). The Clerk shall number all bills and resolutions in the order in which they are introduced.

1 All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)). Except  
2 by leave of the House, the Speaker shall not vary from the order.

3 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the  
4 House prior to its passage. The first reading and reference to standing committee of a House  
5 bill shall occur on the next legislative day following its introduction. The first reading and  
6 reference to standing committee of a Senate bill shall occur on the next legislative day  
7 following its receipt on messages from the Senate. The Speaker shall give notice at each  
8 subsequent reading whether it is the second or third reading.

9 (b) No bill shall be read more than once on the same day without the  
10 concurrence of two-thirds of the members present and voting; provided, no bill governed by  
11 Section 23 of Article II of the North Carolina Constitution herein shall be read twice on one  
12 day under any circumstance.

13 **RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsection  
14 (b) of this rule, after a bill has:

- 15 (1) Been tabled,
- 16 (2) Been postponed indefinitely,
- 17 (3) Failed to pass on any of its readings, or
- 18 (4) Been placed on the unfavorable calendar,

19 the contents of that bill or the principal provisions of its subject matter shall not be considered  
20 in any other measure originating in the Senate or originating thereafter in the House. Upon the  
21 point of order being raised and sustained by the chair, that measure shall be laid upon the table,  
22 and shall not be taken therefrom except by a two-thirds vote of the members present and  
23 voting.

24 (b) No local bill shall be held by the chair to embody the contents of or the  
25 principal provisions of the subject matter of any statewide measure which has been laid on the  
26 table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

27 **RULE 43. Amendments.** – (a) No amendment to a measure before the House shall  
28 be in order unless the amendment is germane to the measure under consideration. A House  
29 amendment deleting a previously adopted House amendment shall not be in order, except that  
30 this sentence does not apply to amendments adopted under Rule 38(c). No amendment that is  
31 clearly unconstitutional shall be in order.

32 Only one principal (first degree) amendment shall be pending at any one time. If a  
33 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of  
34 order. However, any member desiring to offer a subsequent or substitute principal amendment  
35 in opposition to the pending amendment may inform the House by way of argument against the  
36 pending amendment that if it is defeated the member proposes to offer another principal  
37 amendment, and the member may then read and explain such proposed amendment.

38 Perfecting (or second degree) amendments may be offered and considered without  
39 limitation as to number, and in the event of multiple perfecting amendments, they shall be  
40 voted upon in inverse order.

41 (b) The following rules apply when considering: (i) the Current Operations  
42 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally  
43 revising appropriations for the second fiscal year of a biennium:

- 44 (1) Amendments cannot increase total spending within a subcommittee area  
45 beyond the total for that subcommittee as shown in the committee report.
- 46 (2) Amendments can only affect appropriations within the departments,  
47 agencies, or programs within the jurisdiction of the subcommittee.
- 48 (3) Amendments cannot increase total spending, from any source, beyond the  
49 total amount shown in the committee report.
- 50 (4) Amendments that cause the budget to be unbalanced are not in order.
- 51 (5) Amendments cannot spend reversions.

1 (6) Amendments cannot make nonrecurring reductions to fund recurring items.  
2 **RULE 43.1. Engrossment.** – Bills and resolutions, except those making  
3 appropriations, which originate in the House and which are amended, shall be engrossed before  
4 being sent to the Senate.

5 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When  
6 the House receives a Senate amendment to a bill originating in the House, it shall be placed on  
7 the calendar in accordance with Rule 36(b).

8 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating**  
9 **in the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever  
10 the Senate has adopted a committee substitute for a bill originating in the House and has  
11 returned the bill to the House for concurrence in that committee substitute, it shall be placed on  
12 the calendar in accordance with Rule 36(b).

13 (b) The Speaker shall rule whether the committee substitute is a material  
14 amendment under Section 23 of Article II of the North Carolina Constitution which reads:

15 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the State, or to  
16 pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any  
17 tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the  
18 bill for the purpose shall have been read three several times in each house of the General  
19 Assembly and passed three several readings, which readings shall have been on three different  
20 days, and shall have been agreed to by each house respectively, and unless the yeas and nays on  
21 the second and third readings of the bill shall have been entered on the journal."

22 If the committee substitute was referred to standing committee, the standing  
23 committee shall:

24 (1) Report the bill with the recommendation either that the House do concur or  
25 that the House do not concur; and

26 (2) Advise the Speaker as to whether or not that committee substitute is a  
27 material amendment under Article II, Section 23 of the North Carolina  
28 Constitution.

29 (c) If the committee substitute for a bill is not a material amendment, the  
30 question before the House shall be concurrence.

31 (d) If the committee substitute for a bill is a material amendment, the receiving  
32 of that bill on messages shall constitute first reading, and the question before the House shall be  
33 concurrence on second reading. If the motion is passed, the question then shall be concurrence  
34 on third reading on the next legislative day.

35 (e) No committee substitute adopted by the Senate for a bill originating in the  
36 House may be amended by the House.

37 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall  
38 decline or refuse to concur in amendments put by the Senate to a bill originating in the House,  
39 or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the  
40 House, or whenever the Senate shall decline or refuse to concur in amendments put by the  
41 House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the  
42 House for a bill originating in the Senate, a conference committee may be appointed by the  
43 Speaker upon the Speaker's own motion and shall be appointed upon request by the principal  
44 sponsor of the original bill, the chair of the House standing committee which reported the bill,  
45 or the sponsor of the amendment in which the Senate refused to concur; and the bill under  
46 consideration shall thereupon go to and be considered by the joint conferees on the part of the  
47 House and Senate. In appointing members to conference committees, the Speaker shall appoint  
48 no less than a majority of members who generally supported the House position as determined  
49 by the Speaker.

50 (b) The conference report may be made by a majority of the House members of  
51 such conference committee and shall not be amended. If the Senate has a similar rule, only such

1 matters as are in difference between the two houses shall be considered by the conferees, and  
2 the conference report shall deal only with such matters. If the Senate does not have a similar  
3 rule, a conference committee report which includes significant matters that were not in  
4 difference between the houses, shall be referred to a standing committee for its  
5 recommendation before further action by the House.

6 (c) If the conferees fail to agree or if either house fails to adopt the report of its  
7 conferees, new conferees may be appointed.

8 (d) No vote shall be taken on adoption of a conference report until the next  
9 legislative day following the report, except that no vote shall be taken on adoption of a  
10 conference report on either the Current Operations Appropriations Bill or a bill generally  
11 revising the Current Operations Appropriations Act until the second legislative day following  
12 the report.

13 **RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the Speaker or  
14 two-thirds vote of the members present and voting, no bill shall be sent from the House on the  
15 day of its passage, except on the last day of the session.

16 **RULE 44.2. Veto Override.** – (a) Other than in a reconvened session, no vote shall  
17 be taken on overriding a gubernatorial veto on a House bill until the second legislative day  
18 following notice of its placement on the calendar.

19 (b) Other than in a reconvened session, no vote shall be taken on overriding a  
20 gubernatorial veto on a Senate bill until the legislative day following notice of its placement on  
21 the calendar.

## 22 **VII. Legislative Officers and Employees**

23 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its  
24 membership.

25 (b) The House shall elect its Speaker Pro Tempore from among its membership  
26 who shall perform such duties as the Speaker may assign.

27 (c) The House shall elect a Principal Clerk, who shall continue in office until  
28 another is elected. The Speaker may appoint a Reading Clerk and shall appoint a  
29 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal Clerk,  
30 Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not  
31 inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the  
32 Speaker on behalf of the House, the Principal Clerk or an employee designated by the Principal  
33 Clerk shall receive House bills not approved by the Governor.

34 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The Principal  
35 Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants  
36 as may be necessary to the efficient discharge of the duties of their respective offices.

37 **RULE 47. Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint  
38 one or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the  
39 sessions of the House.

40 (b) When the House is not in session, the pages shall be under the supervision of  
41 the Supervisor of Pages.

42 (c) The Speaker, at the request of a member, may appoint honorary pages.

43 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent  
44 subcommittee shall have a committee assistant. The committee assistant to a standing  
45 committee or permanent subcommittee shall serve as staff to the chair of the standing  
46 committee or permanent subcommittee.

47 (b) Each member shall be assigned a legislative assistant, unless the member has  
48 a committee assistant to serve as legislative assistant.

49 (c) The selection and retention of committee assistants, legislative assistants,  
50 and office assistants shall be the sole prerogative of the individual member or members. Such  
51 staff shall file initial applications for employment with the Principal Clerk and shall receive

1 compensation as prescribed by the Legislative Services Commission. The employment period  
2 of such staff shall commence not earlier than the convening date of the General Assembly and  
3 shall terminate not later than the final adjournment or recess of the General Assembly unless  
4 employment for an extended period is approved by the Speaker. The committee assistants,  
5 legislative assistants, and office assistants shall adhere to such uniform rules and regulations  
6 not inconsistent with these rules regarding hours and other conditions of employment as the  
7 Legislative Services Commission shall fix by appropriate regulations.

8 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee  
9 assistant, legislative assistant, office assistant, or other person employed or appointed under  
10 Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service any  
11 compensation from any department of the State government, and there shall not be voted, paid,  
12 or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the  
13 pay now provided by law for such duties and services. This rule shall not apply to employment,  
14 appointment, or service, or to the receipt of compensation or additional pay, bonus, or gratuity  
15 from another department of State government between regular sessions of the General  
16 Assembly.

### 17 **VIII. Privileges of the Hall**

18 **RULE 50. Admittance to Floor.** – No person except members, officers, and  
19 designated employees of the General Assembly who have been issued identification tags as  
20 provided by this rule, and former members of the General Assembly who are not registered  
21 under the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on  
22 the floor of the House during its session, unless permitted by the Speaker or otherwise provided  
23 by law. Employees of the General Assembly shall wear identification tags, approved by the  
24 Legislative Services Officer, when on the floor of the House.

25 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be  
26 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to  
27 effect this object, as shall not interfere with the convenience of the House. Reporters admitted  
28 to the floor of the House shall observe the same requirements of attire for members contained  
29 in Rule 12(h).

30 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall  
31 be extended at the discretion of the Speaker and only by the Speaker. Requests by members to  
32 extend these courtesies shall be delivered to the Speaker. No member shall orally ask the  
33 Speaker to extend these courtesies during the daily session.

34 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any  
35 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or  
36 other presiding officer is empowered to order the same to be cleared to the extent they deem  
37 necessary.

### 38 **IX. General Rules**

39 **RULE 54. Attendance of Members.** – No member or officer of the House shall be  
40 absent from the service of the House without leave, unless from sickness or disability.

41 **RULE 55. Documents to Be Signed by the Speaker.** – All acts, addresses, and  
42 resolutions and all warrants and subpoenas issued by order of the House shall be signed by the  
43 Speaker or other presiding officer.

44 **RULE 56. Printing or Reproducing Materials.** – There shall be no printing or  
45 reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

46 **RULE 57. Placement or Circulation of Materials.** – Persons other than members  
47 of the House shall not place or cause to be placed any materials on members' desks in the  
48 House Chamber without obtaining approval of the Speaker. Any material placed on members'  
49 desks in the House Chamber, or circulated to House members anywhere in the Legislative  
50 Building or the Legislative Office Building, shall bear the name of the originator.

1           **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be  
2 permanently rescinded or altered except by House simple resolution passed by a two-thirds  
3 vote of the members present and voting. The introducer of the resolution must on the floor of  
4 the House give notice of intent to introduce the resolution on the legislative day preceding its  
5 introduction.

6           (b) Except as otherwise provided herein, the House upon two-thirds vote of the  
7 members present and voting may temporarily suspend any rule.

8           **RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Except by leave of the  
9 primary sponsor, no member may be listed as an additional primary sponsor on a bill after the  
10 bill has been filed. Any member not listed as a preprinted cosponsor on the computer-generated  
11 draft edition who wishes to cosponsor a bill or resolution which has been introduced may do so  
12 by 5:00 P.M. of the calendar day following the adjournment of the session during which such  
13 bill or resolution was first read and referred, but only electronically under procedures approved  
14 by the Principal Clerk.

15           (b) Members wishing to cosponsor legislation prior to preparation of the draft  
16 should indicate such to the drafter at the time the bill is requested and before filing the bill with  
17 the Principal Clerk's office. The names of the members who are the primary sponsors shall be  
18 listed in the order requested by them, followed by the words (Primary Sponsors); and the  
19 remaining names of such members cosponsoring shall follow on the draft edition and first  
20 edition. No more than four members may be listed as primary sponsors. Names of persons  
21 cosponsoring bills thereafter under subsection (a) of this Rule do not appear on subsequent  
22 editions but shall be listed in the bill status system as cosponsors.

23           (c) No member shall permit anyone, other than that member's committee  
24 assistant, legislative assistant, office assistant, or another member, to have possession of and  
25 solicit for bill or resolution cosponsorship, the jacket of a bill or resolution.

26           **RULE 60. Correcting of Typographical Errors.** – The Legislative Services  
27 Officer may correct typographical errors appearing in House bills or resolutions provided that  
28 such corrections are made before ratification and do not conflict with any actions or rules of the  
29 Senate and provided further that such correction be approved by the Chair of the Standing  
30 Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding  
31 officer.

32           **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall  
33 continue to occupy the seat to which initially assigned until assigned a permanent seat; once  
34 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event  
35 of vacancy, that member's successor will occupy the seat of the member replaced for the  
36 remainder of the biennial session.

37           **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,  
38 Calendar, and Operations of the House shall assign to each member an office space. When  
39 available, chairs of standing committees and permanent subcommittees shall be assigned an  
40 office adjacent to the room in which the standing committee or permanent subcommittee  
41 generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her  
42 choice.

43           **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The  
44 Principal Clerk of the previous House of Representatives shall convene the House of  
45 Representatives at 12:00 noon on the date established by law for the convening of each regular  
46 session and preside over the body until the members elect a Speaker. In the case of a vacancy,  
47 inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior  
48 House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty  
49 shall devolve upon the Reading Clerk of the prior House.

50           (b) It shall be the duty of the Chair of the Standing Committee on Rules,  
51 Calendar, and Operations of the House of the prior House to assign temporary seats to the

1 members of the House of Representatives in its Chamber. In the case of the inability or refusal  
2 to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
3 House, the Speaker of the prior House of Representatives shall appoint a person to assign seats  
4 to members of the House of Representatives in its Chamber. In the event that the party that had  
5 a majority of members in the prior House will no longer have a majority of members in the new  
6 House, then the duty assigned in this subsection to the Chair of the Committee of the prior  
7 House shall instead be the duty of the person nominated as Speaker by the majority party  
8 caucus for the new House, or some member-elect designated by the Speaker-nominee. In the  
9 event no party will have a majority, then the duty assigned in this subsection to the Chair of the  
10 Committee of the prior House shall instead be the joint duty of one person chosen each by the  
11 caucuses of the two parties having the greatest numbers of members.

12           **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the  
13 rules of Mason's Manual of Legislative Procedure, 2010 Edition, shall govern the operation of  
14 the House. Custom and usage may supplement these rules or Mason's Manual, but may not  
15 supercede them.

16           **SECTION 2.** This resolution is effective upon adoption.